



**United States Environmental Protection Agency**  
**Region I**  
**5 Post Office Square, Suite 100**  
**Boston, MA 02109-3912**

**URGENT MATTER – PROMPT REPLY NECESSARY**  
**CERTIFIED MAIL – RETURN RECEIPT REQUESTED**

**JUL 07 2014**

Mr. Michael Duffy, Operations Manager  
Styrolution America, LLC  
950 Worcester Street  
Indian Orchard, MA 01151

Re: **NOTICE OF VIOLATION** of the applicable Generators Standards of Hazardous Waste, Section 3002 of the Resource Conservation and Recovery Act of 1976 (RCRA) and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. §§ 6622(a) and 6924(d) through (m) and the Commonwealth of Massachusetts General Law, Chapter 21C, Sections 4 and 6;

Dear Mr. Duffy:

On August 1-2, 2012, representatives of the United States Environmental Protection Agency ("EPA") conducted a RCRA Compliance Evaluation Inspection at your facility. The purpose of this inspection was to determine the compliance of Styrolution America, LLC ("Styrolution"), with the relevant hazardous waste management regulations of the Commonwealth of Massachusetts and the Federal Hazardous Waste Management Regulations found at 40 CFR Parts 260-272. The State of Massachusetts has been granted final authorization by EPA to administer certain portions of RCRA.

As a result of the inspection noted above, EPA has determined that your facility violated certain provisions of the Massachusetts regulations and the RCRA regulations, promulgated at 40 CFR Parts 260 through 272. The specific violations are set forth below:

**1. Failure to properly conduct complete hazardous waste determinations, as required by 310 C.M.R. 30.302.**

The inspection team reviewed waste profiles provided by Styrolution. In addition, EPA observed the handling of wastes streams present at the facility on the day of inspection. The following issues were determined from this review and analysis:

- 1) Some paints used at the Maintenance department contain barium. This waste must be evaluated for the presence of metals.

2) Wastes from aerosol can puncturing. Aerosols present in the area include chlorinated solvents. This stream should include the proper F codes including potentially F001 and F002..

3) Styrolution has a glass bead blaster. The blasting unit is located in the maintenance department. The blaster is used on painted, unpainted and soldered parts. The waste stream from this unit has not had a determination done and the stream is disposed with solid waste.

4) Drums labeled "Styrene for Reuse". At various locations around the facility, Styrolution had drums set up for the accumulation of styrene recovered from operations. This recovered styrene was to be placed back into the product styrene feed that went into production. In a discussion with Mike Duffy at the end of the inspection, he stated that only approximately 25% of this styrene went back into production. The rest was put into the waste crude tank to be burned. According to the March 12, 1996 interpretation letter from MassDEP to Styrolution, in order to maintain the status of not being a "waste". Styrene that is sent to the crude tank can only be "hard-piped" there. Therefore any styrene collected in drums that is not reused must be managed as a waste.

**2. Failure to properly locate a satellite storage area at or near the specific point of generation, as required by 310 C.M.R 30.340(6).**

At the time of inspection, the lab on the second floor in building #8 had a SAA located outside the building in a flammable cabinet. This cabinet contained one 55-gallon drum of hazardous waste mixed lab solvents (undated) and one 55-gallon drum of non-hazardous waste plastic melt samples.

**3. Failure to transmit copies of the facility contingency plan to local authorities, as required by 310 C.M.R 30.341(1)(c).**

At the time of inspection, Styrolution has not sent copies of their facility contingency plan to local authorities.

**4. Failure to send complete land disposal restriction notifications to receiving facilities, as required by 40 C.F.R. §268.7.**

For waste stream with profile #CH501310 (lab solvents), the waste codes and underlying constituents listed on the LDR change from shipment to shipment and are not always consistent with the waste profile. The waste profile lists the waste stream as D001, D035, F002, F003 and F005. F002 and F005 codes were not on the LDRs for the manifests packages reviewed.

Immediately upon receipt of this NOTICE:

1. Conduct proper hazardous waste determinations, as required by 310 C.M.R 30.302.
2. Ensure that satellite accumulation containers are at or near the specific point of generation, as required by 310 C.M.R 30.340(6).

3. Transmit copies of the facility contingency plan to local authorities, as required by 310 C.M.R 30.341(1)(c).
4. Ensure that complete land disposal restriction notifications are sent to receiving facilities, as required by 40 C.F.R. §268.7.

Within (30) thirty calendar days of receipt of this **NOTICE**:

Submit a written description, with supporting documentation, of the actions taken to correct the aforementioned violations to:

**Richard Piligian, Environmental Scientist  
U.S. Environmental Protection Agency  
5 Post Office Square, Suite 100  
Mail Code: OES05-01  
Boston, MA 02109**

Failure to correct the violation as required by this **NOTICE** may subject Styrolution America, LLC to further federal enforcement action, including the assessment of penalties, pursuant to Section 3008 of RCRA 42, U.S.C. § 6928.

If you have any questions regarding this **NOTICE**, please contact Richard Piligian, at (617) 918-1757.

Sincerely,



Mary Jane O'Donnell, Acting Manager  
RCRA, EPCRA, and Federal Programs Unit

cc: Saadi Motamedi, MADEP  
RCRA file

